

REMARKS

Claims 1-29, 31-33, and 45-49 are pending and are rejected. Reconsideration and allowance of Claims 1-29, 31-33, and 45-49 are respectfully requested.

Claim Rejections under 35 USC §103(a)

Claims 1-29, 31-33, and 45-49 are rejected as being unpatentable over U.S. Patent Application Pub. No. 2006/0259508 to Sikdar et al (Sikdar) in view of various other cited references. Applicant respectfully traverses these rejections.

Applicant notes that the cited Sikdar reference has a filing date of July 19, 2006, which is several years after Applicant's filing date of November 3, 2003, and therefore the Sikdar reference does not qualify as prior art under 35 USC 102. Accordingly, the cited Sikdar reference cannot properly form the basis of an obviousness rejection under 35 USC 103.

Further, although the cited Sikdar reference claims priority to U.S. Patent Application No. 10/351,030 as a continuation-in-part application, the Office has not made any showing that the prior-filed parent application No. 10/351,030 actually discloses the subject matter in the cited Sikdar reference that forms the basis of the Office Action's rejection of the present claims.

Accordingly, Applicant submits that the rejection of Claims 1-29, 31-33, and 45-49 over the cited Sikdar reference Pub. No. 2006/0259508 is improper, and therefore requests the Office to withdraw the present rejection of Claims 1-29, 31-33, and 45-49.

CONCLUSION

In light of the above remarks, it is believed that Claims 1-29, 31-33, and 45-49 are allowable, and therefore a Notice of Allowance of Claims 1-29, 31-33, and 45-49 is respectfully requested. If the Examiner's next action is other than allowance as requested, the Examiner is requested to call the undersigned at (408) 236-6646.

Respectfully submitted,

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